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4 UNITED STATES DISTRICT COURT
5 WESTERN DISTRICT OF WASHINGTON
6 AT SEATTLE

7 ALBERTO AVILA CARDENAS,

8 Petitioner,

9 v.

10 JERI BOE,

11 Respondents.

Case No. 2:19-1148-MJP

ORDER OF DISMISSAL

12 The Court, having reviewed Petitioner's 28 U.S.C. § 2254 habeas petition (Dkt. No. 1),
13 the Report and Recommendation of the Honorable Brian A. Tsuchida, Chief United States
14 Magistrate Judge (Dkt. No. 18), and noting that no objections have been filed thereto, finds and
15 **ORDERS** as follows:

- 16 1. The Report and Recommendation is **ADOPTED**;
- 17 2. Petitioner's Motion for Leave of the Court to Conduct Discovery and Expansion
18 of the Record with Appointment of Counsel (Dkt. No. 17) is **DENIED**;
- 19 3. Petitioner's 28 U.S.C. § 2254 habeas petition is **DISMISSED WITH**
20 **PREJUDICE**;
- 21 4. Petitioner is **DENIED** issuance of a certificate of appealability; and
- 22 5. The Clerk shall send a copy of this Order to the parties.
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1 DATED this 18th day of February, 2020.

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4 Marsha J. Pechman
5 United States Senior District Judge
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